



Docket No.: 205501US2



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/827,096

Applicants: Hiroyuki MIYAKE

Filing Date: April 6, 2001

For: IMAGING DEVICE

Group Art Unit: 2615

Examiner: H. LONG

SIR:

Attached hereto for filing are the following papers:

**Provisional Election**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

Registration No. 28,870

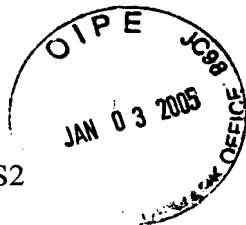
Customer Number

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DOCKET NO: 205501US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
HIROYUKI MIYAKE : EXAMINER: H. LONG  
SERIAL NO: 09/827,096 :  
FILED: APRIL 6, 2001 : GROUP ART UNIT: 2615  
FOR: IMAGING DEVICE :

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated December 2, 2004, Applicants elect with traverse species 1, drawn to Figure 1 and identifies Claims 1-2 as corresponding thereto.

The Restriction Requirement asserts that the application contains claims to distinct inventions. However, MPEP § 803 states the following:

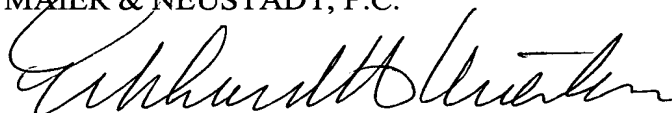
If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Application No.: 09/827,096  
Reply to the Office Action of December 2, 2004

Accordingly, examination on the merits of Claims 1-18 is believed to be in order, and  
an early and favorable action is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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